

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Mathew Harley, et al.,

Plaintiffs,

v.

Peter S. Kosinski, et al.,

Defendants.

Docket No. 1:20-cv-04664-BMC

**NOTICE OF MOTION TO
DISMISS, OPPOSITION TO
MOTION FOR
PRELIMINARY
INJUNCTION AND MOTION
TO SEVER AND TRANSFER**

Please take notice that pursuant to this Court's Order that Responses to Plaintiffs' Complaint and Motion for Preliminary Injunction be filed no later than October 9, 2020, Kentucky Defendants Michael G. Adams and Albert Benjamin Chandler will move this Court, before the Honorable Brian Cogan, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza E, Brooklyn, NY 11201, for an Order pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(6), 21, and 28 U.S.C. §1404.:

- denying the Plaintiffs' Motion for Preliminary Injunction;
- dismissing Plaintiffs' Complaint with prejudice; or
- in the alternative, granting these Defendants' Motion to Sever and Transfer.

Attached is Defendants' Memorandum of Law in support of the Motion to Dismiss, in Opposition to the Motion for Preliminary Injunction, and in support of the Motion to Sever and Transfer.

Dated: October 9, 2020

Respectfully Submitted,

/s/ R. Kent Westberry

R. Kent Westberry

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Chandler; application for pro hac vice
forthcoming*